



Texas Department of State Health Services Asbestos Regulatory Clarification

Subject Removal of Non-Asbestos Flooring Adhered to Asbestos-Containing Adhesive/Mastic and the Applicability of the Resilient Floor Coverings Institute (RFCI) Recommended Work Practices

Issue

The Department of State Health Services (DSHS) seeks to clarify requirements under the Texas Asbestos Health Protection Rules (TAHPR) and the Resilient Floor Coverings Institute (RFCI) Recommended Work Practices for Removal of Resilient Floor Coverings with respect to removing non-asbestos flooring material with asbestos-containing adhesive/mastic that results in the disturbance of asbestos-containing material (ACM). The TAHPR provide an exemption from licensing and registration under certain conditions when the RFCI removal method is used to remove flooring and adhesive/mastic. Questions have arisen regarding the use of RFCI compliant work practices and the use of recommended tools for the removal of non-ACM flooring that is adhered to asbestos-containing adhesive/mastic.

Clarification

In a public building, any removal of non-asbestos flooring is regulated by the TAHPR if any adhesive/mastic containing greater than one percent (>1%) asbestos remains adhered to the flooring after removal. The removal of such flooring material must comply with the TAHPR or with the RFCI guidelines if the RFCI exemption is claimed.

Discussion

The TAHPR exemption is applicable only when the proper use of the RFCI methods ensure that the flooring materials do not become regulated asbestos-containing material (RACM). The RFCI work practices require that the floor covering materials be removed "intact." Although the definition of "intact" pertains to asbestos-containing material, non-asbestos flooring materials adhered to asbestos-containing adhesive/mastic must also be treated in accordance with the recommended work practices. The 1998 RFCI Recommended Work Practices state that they "are a defined set of instructions addressed to the task of removing all resilient floor covering structures whether or not they contain asbestos." Therefore, if one uses the RFCI exemption, the RFCI recommended work practices must be followed in their entirety.

The RFCI booklet further defines "intact" to mean that the asbestos-containing material has not crumbled, been pulverized, or otherwise deteriorated so that it is no longer likely to be bound with its matrix. The term "intact" does not mean that the flooring has been removed completely unbroken or without incidental breakage. Therefore, the flooring must remain substantially

unbroken for the removal method to be in compliance with the RFCI Recommended Work Practices.

When the adhesive/mastic is adhered to the flooring, abrading, crumbling, or pulverizing the flooring equates to abrading, crumbling, or pulverizing the adhesive/mastic. If the removal method abrades, crumbles, or pulverizes the flooring, the adhered asbestos-containing adhesive/mastic will become RACM. If a contractor uses the RFCI method and creates RACM, the contractor is responsible for stopping the project and notifying the owner. The owner is responsible for having appropriately licensed persons assess the contamination and complete the project in accordance with the TAHPR.

Frequently Asked Questions

1. Can I use a motorized tile removal machine on non-ACM floor tile over asbestos-containing adhesive/mastic and still comply with RFCI work practices and the TAHPR exemption under 25 Texas Admin. Code (TAC) §295.36?

Answer: No. The use of a motorized tile removal machine is not part of the RFCI Recommended Work Practices. The machine applies forces not generated by manual practices through the use of a blade forced across the adhesive/mastic surface and wheels that grind and abrade the surface as they drive the blade forward.

2. Can I use a spud bar or mechanical chipper to remove non-asbestos floor tile over asbestos-containing adhesive/mastic and still comply with RFCI work practices and the TAHPR exemption under 25 TAC §295.36?

Answer: No. These removal methods are not allowed in the RFCI Recommended Work Practices.

3. If I am removing non-asbestos containing floor tile and adhesive/mastic, do I have to follow the RFCI Recommended Work Practices?

Answer: No. If the asbestos survey has demonstrated that both the floor tile and adhesive/mastic have 1% or less asbestos content, the flooring removal is not subject to further requirements under the TAHPR and, therefore, no special removal procedures are necessary.

This Regulatory Clarification supersedes any previous clarification/guidance/policy letters on this subject and remains in effect until superseded in writing by the DSHS. Attributed use or reproduction of this information is freely granted.

For additional information, please contact the PSQA-Environmental Hazards Group at (512) 834-6787, by fax at (512) 834-6726, or visit our website at: <http://www.dshs.state.tx.us/asbestos>.